

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

LUZ C. WHITE RODRIGUEZ

DEBTOR(S)

CASE NO. 10-09131-MCF

CHAPTER 13

**MOTION AND NOTICE OF FILING OF POST-CONFIRMATION  
MODIFICATION OF CHAPTER 13 PLAN**

TO THE HONORABLE COURT:

**COMES NOW, LUZ C. WHITE RODRIGUEZ** debtor in the above captioned case through the undersigned attorney, and very respectfully states and prays as follows:

1. Debtor filed for relief under Chapter 13 of the Bankruptcy Code on September 30, 2010.

2. Debtor has been experiencing some economic problems which have caused her to accumulate some arrears with her mortgage post-petition payments.

3. Debtor is able again to commence making current payments to the mortgage, and in order to cure the arrears debtor will require the modification of his confirmed Plan. Section 1329 of the Bankruptcy Code 11 U.S.C. §1329 provides for modification of plan after confirmation in a situation such as herein presented by the debtor.

4. A modified plan dated October 5<sup>th</sup>, 2012, are herein attached.

**WHEREFORE** debtor respectfully requests the allowance of the requested modification of Plan dated October 5<sup>th</sup>, 2012.

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Luz C. White Rodriguez  
10-09131-MCF

### NOTICE

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee Alejandro Oliveras Rivera; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor, Luz C. White Rodriguez; and to all creditors and parties in interest in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico this day 5<sup>th</sup> of October 2012.

/s/ Roberto Figueroa Carrasquillo  
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## United States Bankruptcy Court

District of Puerto Rico

IN RE:

Case No. **10-09131-13****WHITE RODRIGUEZ, LUZ CELESTE**Chapter **13**

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: **10/05/2012**☐ AMENDED PLAN DATED: \_\_\_\_\_☐ PRE ☒ POST-CONFIRMATIONFiled by: ☐ Debtor ☐ Trustee ☐ Other**I. PAYMENT PLAN SCHEDULE**

\$ **550.00** x **24** = \$ **13,200.00**  
 \$ **590.00** x **36** = \$ **21,240.00**  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ **34,440.00**

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
 within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:☐ Other:

Periodic Payments to be made other than, and in  
 addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **34,440.00****III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
 Disclosure Statement: \$ **2,854.00**

Signed: **/s/ LUZ CELESTE WHITE RODRIGUEZ**  
 Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \_\_\_\_\_ \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.☒ Creditors having secured claims will retain their liens and shall be paid as follows:1. ☒ Trustee pays secured ARREARS:

Cr. **DORAL BANK** Cr. **DORAL BANK** Cr. \_\_\_\_\_  
 # **8930050051929** # **Post-Petition 1929** # \_\_\_\_\_  
 \$ **6,957.35** \$ **1,530.15** \$ \_\_\_\_\_

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. **BBVA PUERTO RICO** Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # **13249612375408** # \_\_\_\_\_ # \_\_\_\_\_  
 \$ **9,179.48** \$ \_\_\_\_\_ \$ \_\_\_\_\_

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:5. ☐ Other:6. ☒ Debtor otherwise maintains regular payments directly to:**DORAL BANK**

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
 11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:☐ Paid 100% / ☐ Other:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

Additional Fees-\$350.00

Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to BBVA thru the Trustee in the  
 sum \$100.00 per month for the next eight months or until confirmation. Debtor(s) to provide  
 auto insurance upon maturity to BBVA thru GT Insurance Group, Inc.

\*Or as otherwise specified on proof of claim.

Late filed claims filed by creditors will receive no distribution.

"Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.

Debtor reserves the right to object claims after plan confirmation.

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